

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION**

ALFONSO VARELA and
SANDRA SANTA MARIA VARELA

Plaintiffs,

v.

UNITED STATES OF AMERICA

Defendant.

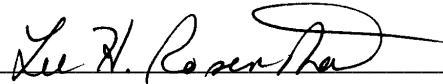
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CIVIL ACTION NO. H-07-0343

ORDER ADMINISTRATIVELY CLOSING CASE

This case involves the same legal issues as those currently on appeal before the United States Court of Appeals for the Fifth Circuit in *Duffie v. United States*, 08-20708. This case is administratively closed pending the Fifth Circuit's decision in *Duffie*. The parties may move to reinstate this case on the active docket within ten days after the appellate court issues its ruling.

SIGNED on January 26, 2009, at Houston, Texas.



Lee H. Rosenthal
United States District Judge